

Introduced by Senator Poochigian

February 22, 2005

An act to add Section 11999.105 to the Health and Safety Code, relating to substance abuse.

LEGISLATIVE COUNSEL'S DIGEST

SB 899, as introduced, Poochigian. Substance abuse treatment funding.

The existing Substance Abuse and Crime Prevention Act of 2000 (Proposition 36), an initiative measure, requires that certain nonviolent drug possession offenders on parole or probation participate in an appropriate drug treatment program. The act establishes the Substance Abuse Treatment Trust Fund and requires that moneys from the fund be distributed through the State Department of Alcohol and Drug Programs to counties to cover the costs of placing persons in and providing drug treatment programs. The act requires the department to annually conduct a study, and to allocate up to 0.5% of the fund's total monies each year for a long-term study to be conducted by a public university in California, both studies aimed at evaluating the effectiveness and financial impact of the programs that are funded under the act. The act provides that any amendment of its provisions requires a $\frac{2}{3}$ vote of the membership of each house of the Legislature and the amendment is required to further the act and be consistent with its purpose.

This bill would require amendments to the act that are designed to correct problems identified by the studies required under the act to be construed as amendments that further, and are consistent with the purposes of, the act, provided the changes are consistent with, and address problems identified by, those studies.

This bill would make a legislative finding and declaration that its provisions further and are consistent with the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11999.105 is added to the Health and
2 Safety Code, immediately following Section 11999.10, to read:
3 11999.105. Amendments to the act that are designed to
4 correct problems identified by the studies required under
5 Sections 11999.9 and 11999.10 shall be construed as
6 amendments that further, and are consistent with the purposes of,
7 the act, provided the changes are consistent with, and address
8 problems identified by, those studies.
9 SEC. 2. The Legislature finds and declares that the provisions
10 of Section 1 of this act further, and are consistent with the
11 purposes of, the Substance Abuse and Crime Prevention Act of
12 2000.